

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

Criminal No.  
04-10319-WGY

\* \* \* \* \*  
UNITED STATES OF AMERICA  
v.  
NOEL HERNANDEZ  
\* \* \* \* \*

**ORDER**

BEFORE: The Honorable William G. Young,  
District Judge

1 Courthouse Way  
Boston, Massachusetts

July 13, 2005

1 (Whereupon, at the conclusion of the proceedings  
2 held in United States of America v. Michael Fuller, Criminal  
3 No. 05-10082-WGY, the following transpired:)

4 **THE COURT:** Now, before I recess I want to enter an  
5 order in another case simply to convey the data, Ms. Ortiz,  
6 because it's a criminal case and this is just a simple way  
7 of doing it.

8 In the case of United States v. Noel Hernandez --

9 **THE CLERK:** Do you want the number?

10 **THE COURT:** Yes.

11 **THE CLERK:** Criminal 04-10319.

12 **THE COURT:** Counsel for the government, Mr. Tobin  
13 and Ms. Rue, and for the defendant, Peter Horstmann.

14 I enter the following order as I will not be in  
15 court tomorrow and Friday.

16 I have reviewed the psychiatric records of  
17 Francisco Navarro and I order the clerk to produce forthwith  
18 to the defense certain of those records which suggest that  
19 Mr. Navarro, as recently as June of this year, suffered from  
20 auditory and visual hallucinations. I say suggest because  
21 it may be that these records indicate nothing more than that  
22 he denies auditory or visual hallucinations, but a proper  
23 preparation for trial requires certain pages be produced.

24 The remainder of the psychiatric file, which  
25 includes various references to denying to be suffering from

1     auditory or visual hallucinations is not ordered produced  
2     with this caveat. If the government seeks to use any  
3     portion of the record not produced that portion must be  
4     produced forthwith to the defense.

5             That's the order. Just tell Mr. Tobin I entered  
6     that order, and Mr. Womack is going to e-mail it to the  
7     litigants.

8             All right.

9             **MS. ORTIZ:** Thank you.

10            **THE COURT:** All right. We'll recess.

11            **THE CLERK:** All rise.

12            (Whereupon the matter concluded.)  
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C E R T I F I C A T E

I, Donald E. Womack, Official Court Reporter for  
the United States District Court for the District of  
Massachusetts, do hereby certify that the foregoing pages  
are a true and accurate transcription of my shorthand notes  
taken in the aforementioned matter to the best of my skill  
and ability.

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DONALD E. WOMACK  
Official Court Reporter  
P.O. Box 51062  
Boston, Massachusetts 02205-1062  
womack@megatran.com